THE VIRGINIA GAZETTE, & GENERAL ADVERTISER

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NUMBER 1032.] WEDNESDAY, SEPTEMBER 8, 1802. [VOLUME XVII.

To the Public.

BY virtue of a power of attorney from WILLIAM O. WINSTON and BICKERTON WINSTON, to the subscriber, bearing date the 29th day of July 1802, will be exposed to sale, for cash, at Hanover Courthouse, on the 11th day of October next, if fair, if not, then the next fair day, THIRTEEN

VALUABLE NEGROES,

consisting of Men, Women and Children; Twenty-three Head of CATTLE, including two yoke of Oxen; Eight Head of HORSES, and Twelve Head of SHEEP, for the purpose of discharging the arrearages of Taxes, due from the said William O. Winston, as late Sheriff of Hanover county. DAVID BULLOCK.

September 2d, 1802.

FIRST NOTICE.

In the case of Edward Hyde,

A BANKRUPT.

WHEREAS a commission of bankruptcy, founded upon the act of the Congress of the United States, passed on the 4th day of April 1800, entitled "an act to establish an uniform system of bankruptcy throughout the United States," has been awarded and issued against EDWARD HYDE, merchant, of the town of Fredericksburg, and he being declared a bankrupt, is hereby required to surrender himself to the commissioners in the said commission named, or a major part of them, on Monday the 13th, and Tuesday the 21st inst. and on Saturday the 16th day of October next, at the commissioners' office held in the Old Treasury Office, near the Falling Garden in the city of Richmond, at 10 o'clock in the forenoon of each day, and make a full disclosure and discovery of his estate and effects: when and where the creditors are to come prepared to prove their debts, and at the second sitting, to chuse assignees, and at the last sitting, the said bankrupt is required to finish his examination, and the creditors are to assent to or dissent from the allowance of his certificate. All persons indebted to the said bankrupt, or that have any of his effects, are not to pay or deliver the same but to whom the commissioners shall appoint.

ROBERT BROOKE,
Secretary to the Commissioners.

Richmond, September 3d, 1802.

NOTICE.

In the matter of Isaac McPherson,

A BANKRUPT.

THE Creditors of the said bankrupt are hereby notified, that the commissioners will meet on Saturday the 11th day of September, at the Eagle Tavern in the city of Richmond, at 10 o'clock in the forenoon, for the purpose of certifying to the judge of the district of Virginia, that the said Isaac McPherson hath made a full discovery of his estate and effects & in all things conformed himself to the directions of the act of Congress made and now in force concerning bankrupts, when and where any of the creditors of the said bankrupt will be heard against the commissioners certifying the same.

ROBERT BROOKE,
Secretary to the Commissioners.

Richmond, September 1st, 1802.

Land for Sale.

A VALUABLE tract containing 907 acres, lying in Charlotte county on Cub Creek, about one mile above the confluence of said creek with Staunton River, adjoining the roads leading from Booker's Ferry to Charlotte court house and Rough Creek Church, and in a remarkable good neighborhood for a store. This land possesses more advantages, and is equal, if not superior in strength and fertility, to any tract of its size in the county. There is about the middle of it a remarkable lofty and elegant situation for a seat, on which stands a new convenient dwelling house (that may be finished for about forty dollars) situated convenient to an uncommon good spring. There is about one hundred acres of low ground, two thirds well adapted to the culture of tobacco, and the other suitable for meadows. There is already a valuable meadow of about ten acres lately sown with timothy. Not more than one fourth of this tract cut, and that, together with the uncleared part, lies extremely level. 'Tis also convenient to several shad fisheries, and is remarkable for its quantity of all kinds of timber (pine alone excepted) range for stock, &c. &c. For terms apply to John L. Lesueur, or the subscriber living near the premises.

EDWARD DENNIS.

Charlotte, Aug. 18, 1802. (2ms)

N. B. James River or Appomattox inspected tobacco, or male negroes from ten to thirty years old, at cash prices, will be taken in payment, and considerable indulgence given for one third of the purchase money, the purchaser giving bond with approved security. E. D.

Friday the 10th day of Sept. next ensuing, at 11 of the clock in the forenoon, or on the first fair day thereafter,

WILL BE SOLD,

At public auction, at the Mansion House of the late Mrs. Sarah Webb, a great variety of Household and Kitchen

FURNITURE,

SUNDRY

Instruments of Husbandry, &c.

ALSO, ONE SMALL LIGHT

Waggon, and one Chariot,

With Harness for two Horses, in good repair.

Conditions of sale will be—For all sums under ten dollars, cash, and for all sums of ten dollars and upwards, twelve months credit; purchasers giving bonds with approved security, to carry interest from the date, if not punctually paid.

Conrade Webb,

Ex'or. of the late Mrs. Sarah Webb.

Hampstead, New Kent, Aug. 10, 1802.

THE sale of the Lands whereon W. D. WADDILL resides in the county of New-Kent, together with certain Negroes, which was intended to have taken place on the court day last held for that county, as published in this paper, under authority of the agreement of trust therein mentioned, having been postponed by request of the said Waddill, until the next court day, this is to notify, that the sale of the said property, or so much thereof as will be sufficient to satisfy the debt, interest, &c. stipulated in said agreement, will certainly be made at the Courthouse of said county on the 2d Thursday in September next, it being court day, to the highest bidder, for ready money.

August 20, 1802.

From the Gazette of the U. States.

THE SOLEMN PROTEST

OF THE HONORABLE

JUDGE BASSETT,

Against the late Act of Congress, &c.

(CONCLUDED:)

If such principles as these shall be finally sanctioned by American judicatures, if the people, the moral, virtuous, and dignified people of the United States, tempted by momentary passion, or parsimony, can be brought to sanction them, then will language have lost its meaning, and the most solemn and sacred contracts made between the public and its citizens, their obligation.

The ruin of individuals and their families, who may have surrendered comfortable livings, and lost honourable and lucrative offices, upon the plighted faith of the United States, ought to arrest such destructive tenets.

But the preservation of political freedom itself is concerned in the rejection of such doctrines. Let it once be decided by legislatures and courts of justice, that words mean nothing when applied to judges and their compensations, and the constitution is at an end. They have equal right and power to say, and when the temptation occurs will say, that they mean nothing in any other case. Surely it deserves to be considered, whether the adoption of such principles must not gradually impair all confidence in public institutions and public faith; and, in the end, vitiate the public morals beyond the reach of reformation.

It has been made a question, whether the judiciary can lawfully decide, that a legislative act is contrary to the constitution, and for that reason hold it void. It has been said, that it must be obeyed; that the judges of the United States are bound to yield to it and execute it.

I deem it quite unnecessary to range after proofs, shewing the error and danger of such an opinion. Perhaps it no where exists.

This power can, however, be demonstrated by a train of reasons and consequences, drawn from the nature of a limited legislature, and the peculiar province of a national judiciary, in a manner incapable of refutation. It will be sufficient for me, however, to rest my answer to such an objection upon the TERMS of the constitution, and the natural and necessary effect of them.

By the third article, and in the second section it is declared, that the JUDICIAL POWER shall extend to all cases in law and equity arising under the CONSTITUTION, the LAWS of the United States, and TREATIES.

Whensoever, then, a case shall be brought before the judges of the United States, wherein, on one side it is contended that a particular act of the legislative body is void, as being contrary to the constitution of the United States, and, on the other that it is not contrary to it, that will be a case arising both under the constitution and laws of the United States; and of course, by the express terms of the constitution, falls under the judicial power.

By the fifth article, it is expressly provided and declared, "that this constitution and the laws made in pursuance thereof, &c. shall be the supreme law of the land." Hence it follows that the constitution is the supreme law, and the particular acts of the legislative body are only supreme when made pursuant or in conformity to that, which is the fixed and overruling STATUTE enacted by all the people, and only to be changed, altered, or opposed by the power that made it.

If then the constitution is the supreme law, the judicial department, in whom is vested, by the same instrument, the right and duty of expounding and enforcing the law, must necessarily be governed by it.

Whenever any question, however, or wherever, it may originate comes before the judges they must decide according to law.

If the controversy happen to turn upon the opposing terms of the constitution and the act of the Legislative body, still the judges must decide, and decide according to law.

The Executive or Legislative may err; they may, like other men, from inadvertency, from error of opinion, from some too prevalent bias, or from design, commit an unconstitutional act. Every citizen, and every state is entitled to the benefits of the constitution, which is declared the supreme law, and the judicial power of the United States is that organ and independent branch of the government whose duty and right it is, to pronounce and execute the law.

Whenever a question arises, which is law? or what is the law? whether it arises out of doubtful or conflicting acts of the Legislature; or between the words and provisions of the Legislative, the judicial department decide the controversy.

If one side insists upon the act of Congress, and the other upon the act of the people, as contained in the constitution, the judges are required, by the nature of their office, by a positive oath and by express articles in the latter instrument, to support it as the supreme or governing law; and to reject and declare void whatever is contrary to it, in the act of the Legislative body, or other authority, subordinate to the Constitution.

It can be said, that the judges may err, and determine measures and acts to be contrary to the constitution which are not so.

Certainly the judicial department may decide wrong. All human tribunals are liable to error. The executive may err, and the Legislative often err. But there must be somewhere, a power to determine what is the law of the land, and thereby to settle and quiet, whether right or wrong, legal rights and construction. Force and the sword, or some CIVIL JURISDICTION must finally adjust these domestic controversies.

Wise and free people, with free forms of Government, have confided this important, but essential power to their JUDICIAL institutions.

They endeavour to compose those institutions of their most experienced and learned men.—These they render permanent in office and insure to them fixed and adequate compensations whilst they behave well. In short they render them independent of hope or fear; and as free from undue influence, as the lot of mortality will admit. They subject them to trial, loss of office and disgrace for misconduct. With so many public precautions to ensure wisdom and perfect rectitude, and with so many motives operating upon the judges to act well, human society can frame no higher security for the preservation of justice and the laws. Error, with all these guards against it, may, possibly, after every grade of revision and appeal, be ultimately sanctioned by the SUPREME COURT of the union. This will indeed but rarely happen, yet, because there must be some umpire to settle "what is law" the judicial branch, in the last resort, is that which decides without appeal.

The people, indeed, by a constitutional act, may, if the occasion demands it, correct an error even here. But until then, every department, every officer, every citizen of the United States, is bound to yield to the sentence of the judicial department, judicially declaring what is the law.

If we look only into the Constitution for one moment, and see the various checks and limitations upon Legislative power, and in favour of the states and citizens, all declared to be the supreme law of the land, and consider, for a moment, the nature of the judicial power, to which is expressly delegated the right of deciding all questions arising under the constitution and laws of the United States; and that without this power in the judiciary to extend to the states and citizens the benefits of the constitution as a supreme law, they can only be obtained through force and blood; no rational doubt can be entertained, that it is the right, and indeed the highest duty of the judges, if convinced that a law of Congress is opposed to the laws of the people, as enacted in the constitution, to pronounce it, for that reason, a nullity and void.

These are my views of the judicial power. I never entertained the least scruple upon this point; considering it as clear as the constitution itself. Judicial determinations, too, of the highest authority, have placed this question, or ought to have placed it, at rest. On the pension law, the judges of the supreme court agreed, that it was unconstitutional, and Congress, acquiescing in the determination, repealed so much as was by them held void.

On the carriage tax, the question was brought, by a citizen of Virginia, before the supreme court, on the very point, that the law was unconstitutional. The judges determined it was not contrary to the constitution; but their power and right to determine otherwise were never questioned; and they affirmed the law, not on the ground that they were obliged to execute a law of Congress, but on the principle of its conformity and being pursuant to the constitution.

These are the general grounds and reasonings upon which my judgment is founded, that the acts of Congress of the 8th March, and 29th of April, 1802, do not abolish the offices of the judges, under the law of the 13th of February, 1801. I hold those acts, so far as they are designed to abolish the offices of those judges, void, because directly contrary to the constitution of the United States, which established them in the judges when once created and vested, during their good behaviour.

I feel myself called upon, in this place, to notice an opinion which some entertain, who hold, that congress, by no act, can deprive a judge of his judicial capacity and the salary annexed to his original office: but that congress may abolish the particular court, of which he is the judge, and transfer the judicial powers, which were exercised in that court, to any other existing courts and judges of the United States; or may create other courts of the same or different name and territorial limits, and vest the same powers in those courts, to be composed of newly created judges, or judges already appointed, belonging to any other court of the United States.

The congress can, by no lawful means, deprive a judge of his judicial capacity, or commission, and if by their act, and not by his own neglect, refusal or misbehaviour, he is left without any judicial services to perform, they are bound to pay him the stipulated compensation, unless he voluntarily relinquishes it, cannot well be doubted by any, who take the constitution as a law, or moral obligation for a principle of human action. And so far I agree in the foregoing opinion, that the commission to hold such a court remains, and the salary annexed to it. But the constitution of the United States, by that clause which secures to judges their office during good behaviour, was surely designed to answer much higher purposes than merely to entitle him to the name and technical qualities and capacities of a judge, and to the compensation stipulated between him and the public.

It was plainly and principally designed to secure to him the substantial exercise of the judicial powers and rights annexed to the office at its creation; but beyond that, the great and important end of the provision was to render the judge INDEPENDENT of legislative and executive power, for the benefit of the people and the states, in the administration of the laws.

Once abandon this ground, and allow that congress may strip the judges of the courts of the United States of all their judicial powers, by abolishing the courts which they are commissioned to fill, and by giving the whole of their jurisdiction to other courts and judges (provided only the capacity of judge and the salary in virtue of that, and the contract is continued) I say, once establish this, and the most important and most obvious intent of the constitution is defeated.

The judiciary is compleatly, and if the foregoing opinion be true, constitutionally DEPENDENT on the will of the legislative department. If a judge or any set of judges become obnoxious, because they will not bend to the dominant party, or execute acts however opposed to the constitution, and they may be removed from the exercise of their offices, and their powers be lawfully transferred to others, it is vain to talk of an independent judiciary. Successive legislatures will find or make judges to answer their views; and those who are dismissed (as in the case that has happened) may not only be left without any judicial powers of office, but even without subsistence itself!

It is said, in the constitution, "that courts shall be established, and that the judges, both of the supreme and inferior courts should hold their offices during good behaviour."

What is meant, what can be meant by this, but that when courts are established, and judges are appointed for those courts, those judges shall have a right, and are vested with an indefeasible power, during their good behaviour, to hold courts and to exercise in them, some judicial powers.

Can it be seriously contended, that the judges, under the act of the 13th of February, 1801, do "hold their office thereby created and expressly granted to them in their commissions, within the meaning of those words in the constitution? when at the same time it is maintained, that all their courts are rightfully abolished, and all the judicial powers annexed to those courts in their creation, and every action and proceeding in those courts rightfully transferred to other courts of the same name and nature, and composed of judges who are to execute those identical powers.

"Holding their offices" according to the manifest intent of the constitution, in my apprehension, means nothing short of the full right of continuing in, and exercising the judicial powers attached to the court they compose.

If we execute those powers, we hold the office. The only question is to whom of constitutional right does it belong to execute them?

Those who maintain the great and salutary principle of an independent judiciary, resulting from the constitutional tenure of office during good behaviour, and who are not prepared to resign it for an empty name, must, I apprehend, be brought to this, as the only sound and satisfactory conclusion; "That the judges of a court once ordained and established by congress, have, in virtue of their office, and as essentially constituting the office itself, a vested title, under the constitution, to hold the court and exercise the judicial powers attached to it.

I deem it superfluous to consider what congress may or may not do lawfully in modifications and amendments, by altering the session, varying the territorial limits of jurisdiction, changing the style of courts and judges, adding to and diminishing the stock of judicial powers and duties in the same court.

It is said, that should it be construed, that the office of a judge "consists in an exclusive right to exercise all the judicial powers" attached to it, in its creation and no others, this might prove inconvenient: I answer, that if this is the sound construction, or the one attended with the least bad consequences, inasmuch as it complies with the words of the constitution, and maintains the independence of the judges (its favorite object) it ought to prevail, leaving the inconveniences, if they exist, to constitutional and not to legislative amendment.

In practice it has not been found necessary to make any essential changes or alterations of jurisdiction in civil or criminal cases, in the courts of justice hitherto established.

But it need not be contended, that the legislature are prevented, under the construction which I give to the constitution in this particular, from adding to, diminishing or altering the judicial powers, and duties of the established courts. The offices of the judges will not be destroyed; they will still "hold their offices," provided they hold courts and exercise judicial powers. If it be said, that this being admitted, congress may, if so disposed, as effectually reduce the offices of the judges, and their independence, by circumscribing their limits of territory and subjects of jurisdiction, to a mere sound; or by imposing impracticable duties, drive them from office; I answer, that such open abuses, are not presumed, and when they happen, the act producing them would be void. It would be a fraud on the office of the judge, and on the constitution, and would be held up so by all judges bound to support the constitution as the supreme law.

The line which divides rightful authority from abuse of it, so as to become unconstitutional, cannot and need not be defined or conjectured. When the occasion furnishes ground for the question, the judges will exercise a judicial discretion upon it. There can be no other or safer criterion.

But, to whatever length or extreme of abuse an act of congress might lawfully go in this particular, still, however, leaving to the judges courts and the exercise of judicial powers, what I contend for is, that a law which abolishes the courts and all the judicial powers of one set of judges lawfully appointed, and transfers to new courts and to other judges the same judicial powers, leaving the first without any official rights or provision for their salaries, is unconstitutional and void. Such a law or laws, carry on the face of them indubitable signs and evidence of a design in the legislature to take away from the first judges their offices, and therefore manifestly contrary to the letter and spirit of the constitution.

Such an act, made and operating against the words, the true intent and obvious policy of the constitution, is not to prevail.

The judges, to whom the same office, in effect, is transferred, will not accept the legislative commission, nor by executing the act, participate in the overthrow of the constitution. Taking that as the supreme law of the people, they are bound to reject, as void, every measure which if carried into effect by them, would directly or indirectly, defeat any of its provisions.

The abolition of the courts, and the exercise of all the judicial powers of the judges, and the deprivation of their salaries, furnishes a case which seems to involve no question of "degree," to which the legislative body may rightfully invade the offices of the judges. It attempts to

abolish both office and judge entire: the true question is, whether such an act, with such intent and operation, is not unconstitutional?

The judges who are called in to execute such an act in any way, are bound to consider, whether it was constitutional.—If they are of opinion it was not, then they are to refuse any co-operation, which would effectuate or tend to effectuate, the consequences and designs proposed by the prohibited act of the Legislature.

The repealing act of the 3d of March, 1802, of itself, designing to abolish the courts and judges created by that of February, 1801, was prohibited by the constitution: it was void, and the judges still retain their rights of office.

The judges designated to execute the repealing act of the 8th of March, 1802, and the amending act of 29th April, 1802, or, in other terms, the judges called upon to assist and sanction the usurpation and illegality, if such is the opinion they entertain of those acts, must necessarily refuse to participate or aid in their design and consequences.

It has been said, that the act of February, 1801, inasmuch as it abolished the circuit courts under the act of the 24th of September, 1789, justifies the opinion, that congress may abolish courts and transfer all the judicial powers and jurisdiction of those courts of the same name and nature, to be composed of newly appointed judges.

A short and decisive answer presents itself. The cases are dissimilar.

No judges were ever appointed and commissioned to exercise the judicial powers and duties attached to the first circuit courts.

These were performed by the judges of the supreme and district courts, who were directed to hold them by law, having no executive commissions as judges of those courts.

Congress, in abolishing those courts, abolishing no judges or offices. No judicial tenure of office was in the least affected. The judges of the supreme and district courts still continued in possession of their proper respective courts and salaries. They merely officiated in the circuit courts, under a kind of legislative commission, which attached these duties to their proper and distinct judicial official offices. Congress might, of course, lawfully discharge them from those duties, leaving them in full possession of their original and appropriate jurisdictions. Should all the judges of a court die or resign, congress, by abolishing such courts would affect no judicial tenure of office. The circuit courts of 1789, were in a similar case. No judges belonged to them, or exercised the judicial powers in right of constitutional office during good behaviour. The abolition, therefore, of these courts was unattended with any invasion of judicial office or compensation. As to the abolition of the district courts of Tennessee and Kentucky by the Act of Feb. 1801, that neither, if properly viewed, will justify the attempt which has been made to abolish judges and their offices.

The act does not abolish a single judicial power before exercised by the district judges. It increases their powers and also their salaries. It does not abolish their judicial offices but continues them in the full exercise of their rights and duties, as judges. It preserves to them their official name of district judges. The only essential operation of the act was to change the name of the courts, in which they were to exercise their offices, with some territorial alterations and regulations, tending to render the exercise of their offices more convenient.

It is not pretended that the name of a court is unchangeable, or that any other alterations may not be made, consistent with the holding of the substantial rights of office and compensation annexed to the judge at his creation.

After these observations, it remains only, that I should conclude with a distinct exhibition of my opinions, resolutions and motives.

And first: For the reasons assigned, I maintain, as my deliberate, solemn, and judicial opinion, that the acts of March and April, 1802, designing and operating substantially to abolish the offices and salaries of the judges under the law of the eleventh of February, 1801, are so far unconstitutional, and for that reason void.—And further, that the judges of these courts respectively do of right still "hold their offices" as at first.

Secondly: Nevertheless, those acts of March and April, 1802, create many impediments which oppose the execution of our offices.

The discontinuance of our compensations, the destruction of our sessions, as to time and place, the privation of officers, and other evident embarrassments occasioned by the operation of those acts, on subjects of mere legislative organization, must create a suspension of the exercise of our powers of office until congress shall by law, provide the means necessary to their execution. We shall respectively stand acquitted, under such circumstances, if no attempt is made to hold our courts, which might be productive of disorder unseemly conflict, and error.

Should the opinion herein delivered, on this important question, finally prevail, no doubt can be entertained, but that the legislative body will, with alacrity and good faith, pass such laws as may cure the discontinuance of the courts, and enable them to resume their usual and constitutional functions.

Thirdly: In the interim, I hold it my bounden duty to claim the office thus appertaining to me, and publicly to PROTEST against the acts of all persons and authorities, who are designated by the laws of the 8th of March and 29th of April, 1802, who may in any wise interfere with, or prevent, or tend to prevent, the restoration and full exercise of my office, as one of the judges of the circuit courts of the United States for the 3d circuit.

Fourthly: In circumstances so peculiar, and in a case of such magnitude, I conceive it an obvious right to give publicity to the foregoing opinion and reasons.

The judges under the act of Feb. 1801, have been left without any other means of declaring and making known their sentiments and claims.

To those who know the course of my life, the time at which it has arrived, and the principles which professedly (and I trust really) govern it, will acquit me of any views inimical to the peace of my country, or to its constituted authorities. I have spent the best of my years in efforts, at least, to attain and secure true civil liberty; and the stations I have filled, by the favour and confidence of my fellow citizens, have afforded me the highest opportunities, in public situations, of being useful to the extent of my humble abilities: yet the act which I shall now subscribe is far the most important of my life, with reference to human obligation.

If any difference of opinion, between me and my associates in office, exists, it relates merely to the point of time, for expressing our sentiments. I can confidently assert, that on deliberation, they coincide with me in other respects.

But whatever deference was justly due to the ideas of others, my own conscience and judgment, after weighing every consideration, dictated the present line of conduct.

I have delivered my thoughts for the benefit of those who are called to reflect on this interesting subject. They are feebly expressed; perhaps erroneously conceived; they are however sincere.

My most ardent wish, is that the termination of this conflict may produce safety to our country, and CONSTITUTION.

I have done what I deemed a sacred duty in SUPPORT OF THAT CONSTITUTION. I have done it now, because my life may not be spared till to-morrow.

I commit all to those who must ultimately DECIDE, satisfied that honor, intelligence, and independence will guide and sanction their judgment.

RICHARD BASSETT.

Dated at Bohemia, the 14th day of August, 1802.

From the N. Y. Evening Post.

Jefferson & Cheetham.—We do not know how Mr. Cheetham will be pleased to see his name coupled in this way, but he must take his turn as well as a better man. Although we have not seen fit to notice his daily wandering essays in defence of Mr. Jefferson, yet he must not take too much encouragement from that; he may rely upon it we shall not suffer him to slip through our fingers. We turn to his number 7, as being the first that contains any thing particularly claiming attention; for we do not think it worth our time to go further back to convict him of a misquotation from Callender, for the mean purpose of triumphing by applying to his own fabrication; this is no longer a thing to be wondered at, so we leave him to hug himself in the success of this artifice, and proceed to the number before us.

We had observed, and with strict truth, that the *prospect* was written to promote Mr. Jefferson's views on the presidency. The Citizen endeavours to shew that it did not really serve the president, because the first volume appeared in November 1800 only, and the last volume did not appear till January 1801, and therefore he says, it could not have any effect on the votes: Indeed he says, that when the first volume appeared, the complexion of all the *legislatures* in the Union, on whom Mr. Jefferson's election depended, was known, and for that year, unalterably fixed," and that therefore the prospect could not influence them. Now he ought to have known, indeed he must have known, that Virginia on this occasion did not chuse electors by her legislature, but by a general ticket throughout the state, so that his observation is impertinent. It will hardly do to say he did not know or did not remember this, for it clearly appears from this extract from the "Prospect itself:—" "*Go, fly, and as you value soul and body, vote for the Jefferson ticket.*" Was not this addressed to the Virginian freeholders before the election and in season too? and had it no effect? Mr. Jefferson it seems thought otherwise. But the Citizen says, the Prospect had no effect this side the Potomac. And pray who said it had Mr. Candour? Did we not expressly say, it was particularly addressed to the Virginians, and that the second volume was written exclusively for them? At the previous election Mr. Jefferson had lost a vote in Virginia, and can we be surprised if he thought it of high importance to secure the whole at this time? He calculated for this purpose on the impression which the calumnies of the prospect would make upon the Virginians; and he paid accordingly. I should suppose no man could be so much of a blockhead as to contend that it is any way material to shew that the prospect was in reality successful. Mr. Jefferson and Callender worked upon the maxim of "Tis not in mortals to *command* success, but we'll do more, we'll *deserve* it."

We now come to a part of Mr. Citizen's Reply which is worth all our attention; indeed it must be ranked with the other *previous confessions* which are daily leaking out from the *able editors* of democracy. This citizen says, that in order to shew that the prospect served the cause of Mr. Jefferson, it is first necessary to prove that "before the prospect was issued to the public Mr. Jefferson was *im*popular, [yes, *im*popular] and had no chance of success." He then, by way of undertaking to shew that Mr. Jefferson was not *im*popular, observes—

"It is not necessary to state, because the fact is well known, that the republicans looked up to Mr. Jefferson so early as the termination of the first presidency of General Washington, as the safe depositary of their executive power. Had General Washington *at that time resigned*, which was by him, it is said, intended, Mr. Jefferson would have been the republican candidate for the executive chair. Ever since the first presidency of the government, the eyes of the republicans have been uniformly turned towards him as the distinguishable citizen in whom they had the utmost confidence."

Now let us turn back to the period when Mr. Jefferson retired from office and see the accordance between his own declarations at the time, Fauchet's declarations afterwards and this confession of his [Mr. J's] mouth-piece. We now assert it with fearless confidence, that when Mr. Jefferson retired from office in the spring of '93, after General Washington's second inauguration, he did it under the express declaration that he meant to quit "*forever* all public employment; that he was tired of party strife and meant to devote the *remainder of his days* to a philosophical retirement—so sick of politics that he intended to banish even newspapers from his house."* True it is that his sincerity was at the time suspected by some who knew his character intimately, but it is a fact that he completely succeeded in blinding General Washington, who refused to believe that he ever intended to become a candidate for public life again: And it is equally true that when afterwards, (as soon as the favorable opportunity occurred,) he came forth as the leader of the antifederalists, General Washington was lost in mingled emotions of amazement, indignation and contempt. What would the good old man have said, had he then seen the declaration now published in the face of day, that "from the termination of his first Presidency, the eyes of the republicans have been *uniformly* turned to Mr. Jefferson as the distinguishable citizen in whom they had the utmost confidence," and who was to be the President of their choice. And all this while Mr. Jefferson, poor man! was dying with the qualms of a public life! so delicate the state of his stomach, he could not bear a newspaper!

But what said his unlucky, babbling friend Monsieur Fauchet?—"He (Jefferson) *prudently* retired to avoid"—what? being sea-sick? no, "to avoid making a figure against his inclination, in scenes the secret of which will, soon or late, be brought to light"! Monsieur Fauchet it seems, with all his intimacy, was not admitted to auricular confession; he was kept perfectly in the dark as to the *sickness*; he knew nothing of the delicate set of Mr. Jefferson's *viscera*. But now indeed who can possibly hesitate to believe that my gentleman all this time only *shammed Abram*‡. The Republicans have uniformly had their eyes upon him ever *since the first Presidency*. Your humble servant Mr. Citizen. Accept the homage of our sincere thanks. Pray did you ever read the School for Scandal? If you did you met with this opposite remark—"*Faith its very true; whenever I hear the current of slander running hard against my best friends, I never think them in such danger as when Candour undertakes their defence.*"

Jefferson & Cheetham again.—Would it not be advisable for the Citizen to alter the heading of his numbers in defence of Mr. Jefferson, and in Presidential language entitle them "*An essay towards* a Reply to the Strictures?" &c.

We have more than once endeavored to confine this executive champion to the matter in dispute; but he still wields his weapons in the air and boasts of his intrepidity in vanquishing the shadowy antagonists of his own disordered brain.

One half of each number since the first is a repetition of the preceding one, by way of peroration, (after the manner of Cicero, perhaps, with whom he lately compared himself) constantly beginning with, "Having satisfactorily shewn, and having proved conclusively," &c. thus securing as he advances, at least in his own imagination, the positions he has taken. He seems now to have made warfare upon every act of the past administration, and devotes his two last numbers to railing against the sedition law and Judge Chase; but what either the one or the other has to do with Mr. Jefferson's conduct towards Callender still remains a secret to all the world but himself. One of two things, good Mr. Citizen—either Mr. Jefferson did pay Callender 100 dollars for writing the Prospect, or he did not?

If you mean to admit that he did, and to justify the act, then to be sure it will be proper enough to examine the Prospect for the purpose of shewing from its contents that Mr. Jefferson did a praise-worthy action in thus encouraging "virtuous opposition to an iniquitous government."

But if Mr. Jefferson did not pay Mr. Callender for writing the book as charged, then the contents of that book as it respects Mr. Jefferson's conduct are of no importance, as in such case they cannot be imputable to him: neither can it in that view be of any consequence whether the administration of Mr. Adams was "*malignant*" or mild.

The reasoning if it deserves the name which the Citizen has employed on this occasion amounts to this. He charges B. with stealing letters and produces his proof; this whilst it remains uncontradicted by any other is sufficient to satisfy a reasonable mind and to put B. upon his defence: B. thus driven to the measure, begins not by offering counter testimony, but by assailing the reputation of all the spectators in Court.—One he calls a cheat, another a liar, a third the lords knows what, and in this manner proceeds in what he terms as A REPLY to the charge against him until every one is satisfied of his own guilt.

Precisely thus does Mr. Cheetham manage Mr. Jefferson's defence: and precisely thus will be the result. If he is anxious therefore that any one should still doubt, he had better stop, or return back to the plain road we have so often pointed out to him; at any rate he cannot succeed worse in that than he has in the course he has taken. Suffer us therefore *able editor*, to remind you once more of the subject in controversy. Did Mr. Jefferson reward Callender or did he not?

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* *Lucius Junius Brutus, p. 21.*

‡ *A cant phrase for affecting sickness. See* Classical Dictionary of the Vulgar Tongue; *article* Abram.

FIRST NOTICE

In the case of *Thomas Hooper & Henry Toler,*

BANKRUPTS.

WHEREAS a commission of bankruptcy, founded upon the act of the congress of the United States, passed on the 4th day of April, 1800, entituled "An act to establish an uniform system of bankruptcy throughout the United Sates, &c." has been awarded and issued against Thomas Hooper and Henry Toler, merchants, under the firm of Hooper and Toler, of the city of Richmond, and they having been declared bankrupts, are hereby required to surrender themselves to the commissioners in the said commission named or a major part of them, on Friday the 10th, and on Saturday the 25th days of September, and on Wednesday the 29th day of October next, at the commissioners office, in the old treasury near the falling gardens, in the city of Richmond, at 10 o'clock in the forenoon of each day, and make a full discovery and disclosure of their estate and effects; when and where the creditors are to come prepared to prove their debts, and at the second sitting to chuse assignees, and at the last sitting the said Bankrupts are required to finish their examination, and the creditors are to assent to or dissent from the allowance of their certificate. All persons indebted to the said bankrupt are not to pay or deliver the same, but to whom the commissioners shall appoint.

RO. BROOKE,
Secretary to the Commissioners.

Richmond, Sept. 3d, 1802.

NOTICE.

PETITIONS will be presented to the next General Assembly of Virginia, praying that such alterations may be made in the act, intituled "An act to reduce into one the several acts concerning Mills, Milldams, and other obstructions of Water Courses," as shall effectually prevent in future, the erecting or keeping up any traps, dams, hedges, wiers or other devices in James River or its navigable branches, for the purpose of taking fish, or which shall operate as an obstacle to their passage in any part of the waters thereof.

August 29, 1802. 12w3w

FOR SALE,

A VERY GOOD

DWELLING HOUSE,

WITH a Kitchen, Dairy, Smoke-House, and two acres of excellent Ground, well enclosed, in a very handsome situation and very healthy.—Convenient for a boarding house or a private family, as it lies on the main street, near William and Mary College. For terms apply to

E. D. CHEMINANT.

Williamsburg, Sept. 1, 1802. (6t)

LETTERS

Remaining in the Post-Office, the 6th of September, 1802.

A.

ANTHONY and Pleasants, 5; John Andrews, Drury M. Allen, Peter F. Archer, Thomas Anderson, John Allen, Robert Ainsworth, James Allen, Jedediah Allen, 4; Ralph Allen, Frederick Ayton.

B.

Amos Bordman, Drury Burch, Thomas D. Burch, Samuel Blyth, Cunningham Burton, Edward W. Bradshaw, John Barret jun. Elizabeth Burrus, Nathaniel Bishop, Lemuel Bishop, Messrs. Barclay & Co. Joseph Boyce, John Baily, Pleasant Ballad, Richard Barnes, Mary Babcock, John Brion, William Burton, sen. John Knight Brown, 2; John Beale, 2; Majo. John Brown, Dr. Anthony T. Boyd, Samuel Bell, James Blagrove, Thomas Bendle, 2; John G. Barnwell.

C.

Clerk of the General Court, William Cearey, Mrs. A. Corling, David Cobbs, Wills Cowper, Archibald Campbell, jun. Thomas Carneal, 2; Julius Crump, Chas. B. Carter, Citoyen Louis Marie Paul Chefdebien, Joseph Carter, Gregory's Tavern; John Chowning, 3; Bowler Cocke, Ann Couch, James Cannon, Reuben Coutts, Adam Craig, 3; Robert Compton.

D.

William Drope, Roswell Devinport, 2; H. Durrington, James Davenport, William Dandridge, Mrs Delaplanche, Ann Dobie, Mr. Durieux, William Davidson.

E.

Thomas Emond, James D Edwards.

F.

Burton Foster, of Philadelphia; Solomon Foutell, Capt. Wm. Forsyth, Colonel William Fontaine.

G.

Alexander Gilchrist, 2; John Gunn, 2; Captain William Goodwin, Wm. Green, 2; John C. Geddy, 2; Samuel Greenhow, 2; John Goodin, Susannah Griffin, Elizabeth Gibbs, William Garvis, Capt. John Goodrich, Stafford Gibbs, Willis Godwin, William Geddy.

H.

Hannah Hawkins, Alexander Harrison, Julia Lee Holloway, Eldridge Harris, 3; William A. Halsey, Robert Hendren, Henry Harvey, William Hooper, Hanover; Moncrieff Hill, John Heiskell, Carter Harrison, Maycox; John Hudson, Richard Holland, John Harden, George Haywood, 2; Thomas D. Harris, 2; Captain Wm. Hole.

J.

Henry Jones, Captain Richard Jones, Thomas Jones, James Jones, Henrico; Michael Immel, Nancy Johnson, Solomon Jacobs.

K.

Amelia Kenny, George P. Kee, Reuben Kenter.

L.

Austin D. Leake, Michael Lawson, Catherine Lennard.

M.

Captain Sam. Maynard, John S. Moore, John May, David Meade, jun. William Malley, Mr. Mayne, Miss Ann Moxley, Charles Marshall, James McCallister, Captain Thomas Mister, 2; Mary Munden, George Markham, John McNight, Peter Mauzey, Sarah Magee, Rev'd. Alexander McCaine, 2; William McKim, Robert Miller, Alexander McKim, Martim Mims, Robert Means, Robert McTyre.

N.

Neil Nelson, 2; Alexander Nelson, Humphrey Nichols, Robert Nisbet.

O.

Major John Oliver, Thomas Oliver, John Oderwalt, James Osborn, 2.

P.

Charles Purcell, Thomas H. Prosser, Nathaniel Pope jun. Carter B. Page, 2; Major Wm. Price, Mrs. Lucy Pointer, Edmund Penn, Octavus A. Page, 2; John Pattesson, Captain Samuel O. Pettus, H. Perkins.

R.

Thomas Richardson, Hanover; Wm. Rowlet, Wm. Randal, Jere Rawlins, J. Oaks, Luke Richards, William Richardson, Cottage; Miss Virginia Ratcliff, John H. Robinson, John Royal, Robert Richardson, Sally Railey, —— Randolph, senator.; Henry Reid, 2; James Ratcliffe, 3; Miss Mary E. Robertson.

S.

William Snead, John H. Saunders, John Southall, Robert Stringfellow, Edward Scott, William Smith, Nic Scoot, Wm. Spencer, Lucy Sydnor, Jahn M. Sheppard, Samuel Sheppard, Edward Sydnor, Hanover; Captain Penn T. Sale, 2.

T.

John Treely, Samuel Toler, Robert Thompson, John Turner, Monsieur Trouin, Mrs. Biddy Thornton, Wm. Thurman, Col. Thomas Tinsley, James Tyree, Jacob Thomas, John Trower, Benajah Thomas, Ebenezer Thomas, 2; Peter Tinsley, 5.

W.

Hugh Warden, Samuel J. Winston, Independence Whitman, Ninnian Wyse, William Willson, Col. Wm. O. Winston, Hanover; William Woodward, Phinehas Wilks, George Walters, Mr. Whitelock, George Welch, Captain John Woodward, Captain Whipple.

Y.

Walter Yancey, 2; Pleasant Younghusband.

MARKS VANDEWALL, P. M.

I want to PURCHASE, from fifty to one hundred thousand

Flour Barrel Staves;

To be delivered at my Mills on the James River Canal.

JOSEPH GALLEGO.

Richmond, Sept. 8, 1802.

CONTINUATION OF

Late Foreign Intelligence.

[By the ship TOM, Capt. TURNER, from Liverpool, arrived at Philadelphia.

LONDON, June 23.

In consequence of the restoration of tranquility in the island of St. Domingo, dispatches have been sent off to Plymouth, to be forwarded from thence in the Hunter sloop of war, to Admiral Duckworth, at Jamaica, with orders to send home all the remaining ships of war on that station, except the few which are to be continued on the peace establishment.—The Dedaigneuse frigate, which sailed a few days since, has similar dispatches on board for the Cape of Good Hope and the East-Indies. One half of the ships of war at the former place are to return to England, and the remainder are to proceed to India, with the troops who are about to evacuate that settlement, and for the purpose of relieving a like number ordered home to be paid off.

July 4.

The Algerines have sent a fleet of twenty two sail of ships of war to sea, amongst which a e several large frigates.

The Cine Portugese frigate, of 40 guns, was captured on the 15th of May by an Algerine frigate, and carried into Algiers. She was taken by boarding; the crew having ran below, the officers, twenty one in number, remaining on deck, were cut to pieces.

It is reported that Sir J. B. Warren is to be sent as Minister Plenipotentiary to the court of Petersburgh.

Yesterday morning a Quarter Master of the 3d Regiment of Guards was drumed out of the service on the parade at the horse guards, for embezzling his Majesty's stores.

Mr. Spencer Smith, our late minister at Constantinople, and brother to the gallant defender of Acre, is a candidate to represent the town of Dover.

The Duke of Richmond is happily recovered of his late dangerous illness, the gout in his stomach, and is gone to goodwood, in Sussex.

About the close of the rebellion in Ireland, three Gentlemen went to the house of another in the county of Wicklow, with whom they were acquainted, and were most hospitably entertained. They said they were on their way to attack the Rebel Leader, Holt, and were invited by their host to make his house their inn on their return; he adding, that he had 2,000 guineas to convey to Dublin, and wished to benefit by their escort. They did return, but they murdered him, and took his money. One of the three, stimulated by remorse, has turned informer, and the others, one of whom is highly connected, are probably ere this in custody.

July 5.

We are sorry to see the spirit of party prevail in certain Journals to an alarming degree, as far as it relates to the business of the Election. The most virulent paragraphs are daily inserted to prejudice Electors against Members whose public conduct has given umbrage to these diurnal censors or to their employers.—Such a method of proceeding may be legal, but to say the least, it is interested and illiberal.

NEW PARLIAMENT.

The contest for Bristol is at an end. Mr. Hobhouse having declined, Mr. Blagge and Sir Frederick Eden will in course be elected without opposition.

On Friday there was a meeting at the Guildhall, Portsmouth, of the Mayor, Alderman, and Burgesses to nominate two persons to represent that borough in Parliament, when Sir John Carter proposed Mr. Erskine, which was seconded by Mr. Alderman Goldson, and Mr. Alderman Gaselee proposed Capt. Markham, and was seconded by the Rev. Mr. Cuthbert. The election will take place on Wednesday next, when the above gentlemen will be returned without opposition.

The election for the county of Kent is fixed for Tuesday, the 13th.

The Oxford election commences tomorrow morning.

Mr. Pitt, and Lord Euston will be returned without opposition to-morrow, for the University of Cambrdge.

Marseilles has by a Consular Decree, been declared an entrepot for foreign merchandize, which may remain in the warehouse for two years. In the course of that time those articles which are prohibited in France may be exported.

The town and port of Mahon, in Minorca, were given up to the Spaniards by the English on the 27th of May. We also evacuated Porto Ferrajo in the island of Elba, on the evening of the 10th of June. On the morning of the 11th the French took possession of it.

The funds continue to fall. The five per Cents are at 53f. 40c. which is lower by 1 4th than any price they bore since the signing of the Definitive Treaty. This depression must be attributed to the commercial speculations and enterprizes arising from the restoration of peace.

The Hamburg and Dutch Mails, which arrived on Saturday, bring us the pleasing intelligence that the health of the Archduke Charles is perfectly restored; he had arrived at Vienna on the 17th ult.

Letters from Hermanstadt state that a body of 5000 Turkish troops were within sight of Paswan Oglou's army, at about 28 leagues from Bucharest, and that an action was hourly expected. Some of Paswan Oglou's troops have made their appearance on the frontiers of Transylvania, but they were repulsed by the Austrian forces.

The Emperor of Russia (who travelled under the title of the Compte de Russie) was met at some distance from Mamel by his Prussian Majesty, when the latter, who was on horseback, came to the Imperial carriage, he alighted, and the Emperor at the same time getting out of his carriage, the two royal Personages saluted and embraced each other. The Emperor then mounted one of his Prussian Majesty's horses, and the two Monarchs rode together into the city, followed by their retinue, likewise on horseback. When they reached the house of the Merchant Lorck, at which their prussian Majesties reside, the Queen of Prussia came out to meet her illustrious visitor, and surprised him with an embrace, and his Imperial Majesty pressed her hand to his lips. After dinner his Imperial Majesty proceeded to his residence, which is in the house of the Merchant Glagau, in Linden-street. The proprietor of this house receives 100 rubles per day. The price of provisions in that city has risen to an enormous height.

As this paper was going to Press, we received sets of Paris Journals of the 1st. They do not afford a single article worthy of notice.

The Five per Cents had a further fall on the 30th ult. of 35 cents.

Count De Weddel, the Danish Ambassador, left town on Tuesday, and Mr. De Gyldendalm arrived on Saturday to succeed him.

A few weeks since Bonaparte was on a visit to Girardin, a Tribune, a si-devant Marquis, at his seat called Hermonerville, where Rousseau lived many years as tutor of the present M. Girardin when a youth. Girardin thought it highly gratifying to shew him the room Rousseau inhabited; however, instead of being pleased, he turned away from it and said with frown, "Take me from this place; the name of Rousseau is dreadful to me; to his anti-social system and false philosophy we must attribute all the horrors of our country, and it is owing to him that we are where we are!"

By the Dutch Mail of Saturday we received the following account of the death of a remarkable literary:—

"The 24th died here, Mr. Irhoven van Dam, late Secretary of the Council of America Possessions, and one who may be ranked among the greatest literary men of Europe. His exterior figure distinguished him from most other men: he was small of stature, short of body, high breasted, very hump-backed, his head reclining downwards; his nose extremely long, his mouth one of the widest, and his eyes penetrating; and this singular machine was supported by two laths, instead of legs. Such was the habitation of a soul which was too great for its confined limits.

He spoke almost all the living languages as fluently as his mother tongue. He was also skilled in the Greek, Hebrew, and Latin language, as well as in several of the sciences. In all that had relation to the Belles Letters he excelled; and in which he would have been famous throughout Europe, and obtained an immortal name, if the pen had not been devoted to politics. He past the latter part of his life as a miserable martyr, either in political disputes or the composition of dry spiritless papers relating to the affairs of the West-Indies. He was great in forming plans, but unsteady in carrying them into execution; continual changeableness was his chief failing, by which means he did not long possess the same friends. Statesmen enticed and employed him to draw up compositions of importance, many of whom have cut a figure at the expence of his labours.—However considerable his services in this way, he seems to have been mostly paid with promises, for his means were always scanty, although his wants were few; in short, his affluence never disturbed his repose."

NEW-YORK, Sept. 1.

EXTRACTS.

From late Greenock papers received at this office, by the ship Andromache, arrived yesterday.

LONDON, July 12.

In proportion as the *fete* of the 14th of July draws near, the Paris papers seem anxious to announce not only the numbers that have voted for giving the Consulship for life to Bonaparte, but those that have added to their votes, the wish to vest in him the power of naming his successor. In the Seine and Oise 7880 persons, and in the district of Chalon in the Saone and Loire, 8602 out of 23,836 made that addition to their votes. We have little doubt that this power will be vested in Bonaparte, and at no distant period.

Grain is diminishing in price in several of the departments of France. At Paris, however, it is still extremely dear.

The following paragraph is from a private letter brought by the last French Mail:—

"Two libels which appeared lately against the First Consul, have very seriously occupied the Minister of Police and his Satellites for some time, not only to discover the authors and their accomplices, but more especially to prevent their circulation: the author of the first was soon found out and arrested, a Priest—but the other would, perhaps, have long remained unknown, had he not either from compunction, or some other motives, avowed himself—there is something extraordinary in the fact, as well as in the manner, in which he has conducted himself. General Simon is the person who has voluntarily declared himself the author of the libel, printed under the title of *Address aux Armees*, which is highly reprehensible for its virulence, and the probable consequence of publication. This General sent into Paris a certain number of copies of his address, concealed in the great pots of butter which came usually from Brittany, which he resides; but as soon as he heard the effects his work produced, and that the tranquility of several Citizens was likely to be disturbed on account of the suspicion which had fallen upon them, he applied to Citizen Mounier, the Ex-Constituent, who is now Perfect of *L' Ille et Vilaine*, in Brittany, and avowed himself author of the libel; and added, that "he was incapable of allowing the innocent to suffer for what, in a moment of discontent and passion, he had himself committed. He was concerned for having been so imprudent, but that as there was no remedy, he constituted himself prisoner, and only requested that he might be conducted to the Temple, in a manner sutible to his rank and General." Mounier consented, and General Simon arrived at Paris on the 29th ult. escorted by an Officer of rank in the Gendarmerie. He is a young man of violent character, but who has conducted himself in the army with distinction. His father is Simon de Troye, a man of letters, and one of the Librarians of the Tribunate."

More troops have embarked at Brest for Martinique. Admiral Villaret (as our private correspondence informed us some days ago) has been appointed Captain General of the island, and will sail immediately with two sail of the line, some frigates, and transports.

Among other reports in Paris it is said, an Infernal Machine has been discovered under a little bridge, over which the Chief Consul passes, in his way to Malmaison.

NEW-YORK, September 1.

Captain Pierce, of the ship Andromache, in 44 days from Greenock, has brought English papers to the 17th of July. The intelligence given this day, from the Greenock Advertiser, of the 16th, is not of importance—No accounts had been received from France, respecting the celebration of the 14th of July, the anniversary of the taking of the Bastile, on which day, it was imagined that the Installation of Buonaparte, as Consul for life, would take place,

N. Y. D. Adv.

A letter is received in town from a respectable commercial house in Antwerp, dated June 17th, which mentions that the entry of tobacco at that port was prohibited by a recent decree of the French government; and that the merchants had sent a deputation to Paris to remonstrate against the measure, and to procure its repeal. No doubt existed at Antwerp of the accomplishment of this object.

We have been favored with the perusal of a letter from Cape-Francois, under the date of the 12th inst. stating, that on the 10th three ships of the line, having 2000 troops on board, arrived there: and that about an hour previous to the writing of the letter, four transports, with 1500 troops, entered the harbor. These transports, it was said, had left behind them 12 or 14 others, all destined for Cape-Francois. Every thing was in a state of tranquillity. Flour from 7 to 8 dollars; lumber 34 to 35; salted provisions in great demand, especially beef and pork.

Oliver Wolcott, Esq. late secretary of the treasury of the United States, has just published, at Boston, price 37 1-2 cents, "An Address to the People of the United States, on the subject of the report of a committe of the house of representatives appointed to "examine and report whether monies drawn from the treasury have been faithfully applied to the objects for which they were appropriated and whether the same have been regularly accounted for" which report was presented on the 29th April, 1802."

The Virginia Gazette.

—RICHMOND—

WEDNESDAY, SEPTEMBER 8, 1802.

There having been two applications to the Editor of this paper, to know the real Author of the Ploughman, and understanding that a third may be expected, we publish the following Card, sent us by the Author, as a decisive and the only answer to any future application to the Editor.

FROM THE PLOUGHMAN.

"The curiosity of the Gentlemen to know who the real character of the *Ploughman* is, cannot be gratified. The offence given the *Freeholder* was by no means unprovoked. No individual having been particularly aimed at, to none shall he be accountable for his writings; although he should not be *greatly terrified* at declaring himself. His object not being to display the powers of a *pugilist*, or a *marksman*, he shall pursue the example so long encouraged and *rewarded* by his political opponents."

We are authorized to say, that JOHN PAGE, Esq. declines accepting the appointment of Collector at Petersburg.

WASHINGTON, SEPT. 3.

The frigate New-York sailed yesterday at 10 o'clock for Norfolk, on her way to the Mediterranean. She fired a salute of 16 guns, which was returned from the Navy Yard.

Pittsylvania county, Feb. 9, 1802.

THE enclosed you will be so good as to publish, together with the Toasts* sent you some time since, and you will very much oblige

N. W. WILLIAMS.

Mr. Augustine Davis.

* *The* Toasts *here alluded to, were either returned, or are mislaid.*

TAKE NOTICE, I shall on the 18th day of the next term of the High Court of Chancery, to be held in the city of Richmond, move that honorable Court to have the deposition of Washington Thompson, now filed as evidence in the suit pending in that honorable Court, in which I am plaintiff, and you and others defendants, to be expunged from the records of that honorable Court—and then the same to be burnt by the common hangman under the gallows.

Yours, &c. MAT. CLAY.

18th February, 1802.

To *Sarah Williams*, Executrix of Joseph Williams, and Administratrix of Robert Williams and others, defendants.

Pittsylvania, ff.

THIS will certify, that in obedience to commission to us directed from the High Court of Chancery, for the purpose of taking depositions in a suit depending in the Court, in which Mathew Clay is plaintiff, and Sarah Williams, executrix of Joseph Williams, and administratrix of Robert Williams, and others, are defendants, we did proceed to take the deposition of Washington Thompson, in the presence of Nathaniel W. Williams, one of the defendants, who propounded certain questions to the said Thompson respecting what Mrs. Clay should have said of Robert Williams as her guardian, and the reasons she gave for speaking in that manner. To all which questions the said Thompson discovered the greatest unwillingness to answer. Mr. Williams then observed, that Mr. Clay had sued the representatives of Robert Williams on account of his wife's estate, and his wife had given her opinion of him and his suit, of Robert Williams, as her guardian and as executor of her father Joseph Williams, and of Mr. Clay, as to the propriety of his impeaching the conduct of Robert Williams towards her. And insisted that such testimony as was in the power of Mr. Thompson to afford, in his opinion would have a tendency to operate as material evidence in that Chancery suit. Mr. Clay not being present, or any person to represent him, we were of the opinion that such information might be material, and commanded Mr. Thompson to answer the interrogations; or choose between the confinement of a gaol and divulging what he was unwilling to disclose. Mr. Thompson then reluctantly answered the questions, which were sealed and directed to the Clerk of the High Court of Chancery by ourselves.

M. HUTCHINGS.
Wm. WHITE.

Pittsylvania county, Sept. 1st, 1802.

MR. DAVIS,

Mr. Washington Thompson called on me some time since for my reason in publishing a notice in your paper of the 7th of March, which reason, as the notice itself was made public through the channel of your press, ought to be given the same manner.

I will also state the sum of the testimony which I wished to obtain from the deposition of Mr. Thompson. It was, that the late Mrs. Clay should say, in her life time, "That she had wronged her conscience to please her husband, in saying things that were not true of her guardian, Robert Williams. That she had reported, that Robt. Williams poisoned her in order to possess himself of her estate. That so far from believing any thing of the kind, it was her opinion, that it never had been the intention of Robert Williams to do her an injury, that he had never defrauded her of one fixpence, and that he had been a father to her." This I supposed to be testimony, and is the reason for the deposition. That Mrs. Clay, previous to her death, did speak in this manner of Robert Williams and Mr. Clay, can be proved by the testimony of other respectable witnesses.

My sole object in publishing the notice which Mr. Clay claims the honor of having given to Mrs. Williams, to whose daughter he was affianced by the solemnity of marriage, was merely to expose it, and not, as was the intention of its author, to sully the reputation of an innocent man, Mr. W. Thompson.

NATHANIEL W. WILLIAMS.

CASH
GIVEN FOR
United States' Stock,
AND FOR
Certificates of the State of Virginia, by
WILLIAM WEST.
Richmond, Sept. 6, 1802. 1awtf

20 Dollars Reward.

RUNAWAY from the subscriber, living in the lower part of Goochland county, on Monday night the 30th ult. a negro man named CHARLES. He is about 38 years old, stout and well made; several of his fingers on his right hand have been injured, which prevents him from opening his hand. He took with him a variety of cloathing; it would be needless therefore to describe his dress.

Eloped with him at the same time, a negro boy named TOM, about the age of 16; well grown, has a downcast look when spoken to, and is remarkable for the thickness of his lips. He is fond of going by water, and may probably attempt to effect his escape by engaging on board some vessel. It is unnecessary to describe his dress, as he took with him several suits of wearing apparel. I will give the above reward to any person who will apprehend and deliver the said slaves to me, or Ten Dollars for either.

MALCOLM MORRISON.

Sept. 4, 1802. 1aw3w

STRAYED or STOLEN

FROM Hanover Courthouse on Saturday night the 28th August, A DARK BAY HORSE, about 4 feet 10 or 11 inches high, about 11 or 12 years old, with a hanging mane and switch tail. He has a small star in his forehead, and carries his head rather low; his sides are rubbed with the geer; he has no other mark recollected at present. Whoever will deliver the said horse to me, or give such information so that I get him again, shall receive FIVE DOLLARS reward.

BARBRA O. THILMAN.

6th September, 1802.

"*A saving of Time is a saving of Money, for Time is even more precious than Money,*"

FRANKLIN.

MAY O's

Toll-Bridge,

THE Public are respectfully informed, is now completely and permanently finished; is furnished with good, strong and substantial Hand-Rails; and will, very shortly, be supplied with Lamps, from one end to the other, so that passengers may pass it by day or by night, with the utmost safety and most unbounded confidence.

When the vast magnitude of this undertaking by a single individual; the chimerical light in which it was originally viewed by the community; the immense sum which it has cost; the great length of time (a period of no less than 17 years) which it has taken to bring it to its present state of perfection; but above all, the importance of it to those who travel North or South, and particularly to the whole country South of James River, in bringing their produce to market, and coming to the seat of government, are considered, a confident hope and belief is entertained that it will meet with and always receive universal patronage and support. Exclusive of these reflections, ECONOMY itself points out this to be the CHEAPEST (and surely it is the most AGREEABLE) mode of crossing the river, for the very small difference in the expence of going by any other conveyance, bears no proportion to the certainty, safety and expedition, which this excellent and useful Bridge affords.

SAMUEL JONES.

Richmond, Virginia, Sept. 4, 1802.

In Hanover County Court;
August 3d, 1802.

Thomas Price, *Plaintiff,*
AGGINST
Nancy Littlepage, widow and relict of Richard Littlepage, dec. and John Meux Littlepage, Fanny Goodwin Littlepage, James Stevenson Littlepage, Robert Page Littlepage, Maria Marshall Littlepage, and Richard [illegible] Littlepage, and Richard [illegible]liam Chamberlain Littlepage, children and heirs of the said Richard Littlepage, dec. infants of tender years, *Defendants.*

IN CHANCERY.

THE defendants not having entered their appearance, and given security, according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court that they are not inhabitants of this country: On motion of the plaintiff by his counsel, IT IS ORDERED, that the said defendants do appear here on the fourth Wednesday in October next, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some public newspaper of the city of Richmond for two months successively, and that another copy be posted at the front door of the court-house of this county.

A Copy—Teste,
THO. POLLARD, D. C. H. C.

EAGLE TAVERN,
—RICHMOND—

ESME SMOCK,

RESPECTFULLY informs the Public, that he has taken the above house, which he purposes keeping in such manner as, he presumes to hope, will give general satisfaction. He will take particular care to be constantly supplied with the best WINES and LIQUORS, &c. &c. and as he is determined to spare no pains in making the Eagle Tavern equal to any in the United States, he therefore solicits such encouragement as his exertions merit.

His Stables are well furnished with FORAGE, and a careful Ostler.

May 27, 1802.

TO RENT,
For one or more years, a convenient Store and dwelling

HOUSE,
(With the necessary back-buildings,)

Next door to the Eagle-Tavern, now in the possession of *Messrs. W. & D. Burr.*
Enquire of
Wm. Mackenzie, & Co.
Two doors below.
Richmond, July 28, 1802. tf

TO RENT,
A CONVENIENT
HOUSE,
Near the Market, with five rooms, a cellar and kitchen.

IT would very well accommodate two small families. For terms, in my absence, apply to Mr. Leighton Wood.

JAMES RIND.
July 20th, 1802.

Land for Sale.

The subscriber offers for sale, that valuable plantation known by the name of

Strawberry Hill;

CONTAINING 430 acres of land, lying on Chickahominy swamp, distant about five miles from the city of Richmond. The large proportion of rich low grounds which produce such profitable grass, and the quantity of valuable timber, such as oak, ash, maple, &c. belonging to this tract of land, render it of great value. There is an elegant situation for a house, and there is a variety of choice fruit trees, which have been planted several years ago; besides that, there are good peach and apple orchards which generally bear well. The buildings on the land are in indifferent condition. The premises will be shewn by the overseer now residing there, and possession may be had on the 1st day of January next, with permission to sow wheat in the fall. The purchaser may be accommodated with corn, fodder and hay. For terms apply to Mr. Corbin Braxton of King William county, or to Mr. Carter Braxton of King and Queen county.

ELIZABETH BRAXTON.
July 28th, 1802.

A FEW COPIES OF
Henning's Justice,
May be had at this Office, and of Mr. Pumfrey, Book-Binder and Stationer

---

Cheap, for Cash.

BLANKS FOR SALE AT THIS OFFICE.

BONDS, and Promissory Notes—*4/6 per Quire.*
Other Blanks printed by the ream, or ten quires, at *3/9 per Quire.*

Lands and Negroes
FOR SALE.

BY virtue of a deed of trust, made to the subscriber, by Benjamin Toler, Thomas Hooper, and Henry Toler, jun. to satisfy a judgment of Henrico Court, obtained by Henry S. Shore, as attorney in fact for the late house of Wm. Anderson & Co. of London, will be sold at Hanover Courthouse, on Wednesday the 22d of September next, being court day, at public auction, for ready money, the two following *TRACTS OF LAND,* belonging to the said Benjamin Toler, to wit: One tract containing 842 acres, more or less, lying on Pamunkey River, in the counties of Caroline and King William, called the *Goose Ponds,* and adjoining the lands of William Nelson, William Ellis, and Paul Woodfolk; the other tract containing 722 acres, more or less, lying in the county of Hanover, about six miles above the court-house, and one and a half miles from Pamunkey River, and bounded by the lands of Charles Carter, William O. Winston, Robert Jennings, dec. William Hooper, and Obediah Hooper. On this tract is a good frame dwelling, with four rooms below and two above stairs; a large barn, and other out houses, and a peach and apple orchard. Also, FORTY VALUABLE SLAVES, among whom is a good blacksmith, and a cooper; or so much of the above mentioned property as will be sufficient to discharge the balance remaining due on said judgment, together with the interest and charges.

Charles Copland,
Charles Johnston, } Trustees.

Richmond, August 11, 1802. eptds

N. B. On the day preceding Hanover court, to wit, on the 21st September next, will be sold also for ready money, on the plantation in Hanover above mentioned, several valuable articles of Household and Kitchen Furniture, such as Mahogany Tables, Desk, Buffet, &c. &c. with the whole stock of Horses, Cattle and Hogs thereon.

P. S. Only 363 acres of the above mentioned tract of 722 acres will be sold at the time and place above mentioned, unless it shall be found necessary on the day of sale, to sell the whole tract.

Sept. 3d, 1802.

THE FOLLOWING
SCHEME
OF A
LOTTERY,
Is to raise the sum of two thousand dollars, for the purpose of repairing the buildings of
Washington Henry Academy.

THIS Seminary was once second to none in the State, except William and Mary; and its healthiness of situation and contiguity to Richmond, renders its re-establishment an object of great importance to the citizens of that place. An hour's ride in any emergency may obtain the best medical aid, and place children immediately under the care and management of their parents.

The prizes in this Lottery are certainly not so large as to attract in any very great degree the mercenary; while they afford from the few blanks to a prize, a fair chance for profitable returns to those who may purchase tickets. It is the promotion of an institution so valuable to society, which ought to command the liberality of the public in general, but in an eminent degree those who reside near the place, and are consequently more immediately interested. It is presumed that if the importance of reviving this Academy, was justly appreciated, the citizens of the adjacent counties would of themselves immediately purchase all the tickets.

1	prize	of	500	500
2	do	of	300	600
5	do	of	100	500
10	do	of	50	500
50	do	of	20	1000
390	do	of	10	3900
1000	do	of	7	7000
1458				14,000
2800 tickets at five dollars, not quite two blanks to a prize				14,000

It is proposed by the above scheme, to raise 2000 dollars, by discount upon prizes alone:—which, at 15 per cent. will be the sum desired.

TICKETS are sold by the trustees,* & the money received from time to time, is directed to be deposited in the treasury, for the use of the successful adventurers, or of the purchasers of such tickets respectively, if any accident should require a reimbursement.

* Thomas Tinsley, Edmund Randolph, M. Jones, Wm. Pollard, Gervas Storrs, John Seabrook, John A. Richardson, Samuel Scherrer, Roger Gregory, jun. Wm. Trueheart, Thomas Starke, Benjamin Pollard, Henry Timberlake, Benjamin Oliver, jun. John D. Blair.

Richmond, July 17, 1800.

NOTICE.

THE partnership of *JOHN A. STILL & Co.* being dissolved on the first day of August, all those indebted to that concern are requested to make payment to *Bartlett Still,* and no other.

BARTLETT STILL.
Richmond, August 17, 1802.

Mr. ISAAC GREEN.

SIR,

BE pleased to take notice that in pursuance of the order hereto annexed on the third Thursday in November next, between the hours of ten o'clock in the morning and sunset of the same day, at the court house of Charles-City, in the State of Virginia, I shall proceed to take the depositions of Ezek. Brown, and Samuel Ladd, in a suit in chancery, depending in the court of the said county in which I am plaintiff and you are defendant.

WILLIAM P. BYRD.
Aug. 1st, 1802.

CHARLES-CITY COUNTY,
July, 1802.

William P. Byrd, plaintiff, against Isaac Green, defendant. } On an Injunction.

On the motion of the plaintiff this suit is continued, and leave is granted him to take the depositions of his witnesses, on publishing the time and place of taking such depositions, in the Virginia Gazette, two months successively, and at the courthouse door of this county.

A Copy
Teste
WYATT WALKER, C. C.
2ms

Lands in Kentucky.

TO be sold, by public sale, in the Tontine Coffee House, New-York, on the 2d day of December next, at 12 o'clock, noon—*Eleven Thousand*

ACRES OF LAND,

in one or more Lots, lying in the county of Fayette, state of Kentucky, about thirty miles from Lexington and Frankfort, 20 miles South East of the Ohio River, and adjacent to the public road between the two Miami Rivers and several rising settlements: The soil generally good, well watered, and timber of various descriptions. These Lands are within 15 miles of Main Lecking and Kentucky Rivers, both navigable two or three hundred miles above the extremity of the Lands.

ALSO,

To be sold at same time and place as the above, another TRACT OF LAND of *nine thousand* acres, in one or more lots, in the county of Fayette, state of Kentucky—nearly the same distance from Lexington, Frankfort, and the Ohio River as the foregoing tract, and lays between the former and Main Lecking River, distant from the latter only a few miles. The soil is in general good, well watered, and timber of different kinds, and as the former tract, in the neighbourhood of the settled parts of Kentucky and opposite a Jersey settlement. The grants by Edmund Randolph, esq. in 1787 and 1788, and the title deeds, are clear and indisputable.

As these Lands are to be disposed of for behoof of Creditors, they will be positively sold to the highest bidder for approved Notes at 2 and 3 months.

Captain Fowler, or Mr. James Masterson, of Lexington; Mr. George Brook, Clerk of Woodford county; or Major John Lee, near Frankfort, will point out the Lands; and for further information and an accurate plan of the Lands, apply to John or Charles Wilkes, esquires, or Lewis Simond, esq. New-York, or to Mr. Brown, Dumfries, Virginia.

July 30, 1802. [tf.]

Armistead Anderson,
Of the late firm of Austin & Anderson,)

INFORMS the public, that he has commenced business in the

Commission Line,

In the brick corner house, just below the Capitol, and nearly opposite the Post Office. He has a commodious LUMBER HOUSE, convenient to the canal, where any kind of produce will be received in STORAGE. All those who may favour him with a preference, may rest assured that the strictest attention will be paid to their commands.

Richmond, July 1st, 1802.

THIRD NOTICE
In the case of Christopher Anthony *and* Tarlton Woodson Pleasants,
BANKRUPTS.

WHEREAS a commission of bankruptcy, founded upon the act of the congress of the U States, passed on the 4th day of April 1800, entitled "An act to establish an uniform system of bankruptcy throughout the United States," has been awarded and issued against Christopher Anthony and Tarlton Woodson Pleasants, under the firm of Anthony and Pleasants, Merchants, of the city of Richmond; and they having been declared bankrupts, are hereby required to surrender themselves to the commissioners in the said commission named, or a major part of them, on Monday the 30th instant, and on Monday the 6th day of September next, and on Wednesday the 6th day of October, at the Eagle Tavern, in the city of Richmond, at 10 o'clock in the forenoon of each day, and make a full discovery and disclosure of their estate and effects: when and where the creditors are to come forward prepared to prove their debts, and at the second sitting to choose assignees; and at the last sitting the said bankrupts are required to finish their examination, and the creditors are to assent to, or dissent from, the allowance of their certificate. All persons indebted to the said bankrupts, or that have any of their effects, are not to pay or deliver the same but to whom the commissioners shall appoint.

ROBERT BROOKE,
Secretary to the Commissioners.
Richmond, August 20, 1802.

I am desirous of Selling my

LAND,
In the County of Halifax,

LYING on Buckskin Creek, containing twelve hundred and fifty acres, and extending about two miles on both sides of the creek. This land is of good quality for meadow, and tobacco, and will be sold entire, or in divisions as may suit purchasers.

PAUL CARRINGTON, Jun.
July 27, 1802. 4w

Journeymen Wanted

SIX or eight Journeymen Shoemakers that are good workmen, will meet with constant employ and ready pay at the following wages:

For making Long Boots, Three Dollars; Half Ditto, Two & a Half Ditto Shoes, One Ditto; by applying to

Jacob Harrison,

Who has on hand, a large assortment of

Boots & Shoes,

For Sale on moderate terms.
Richmond, August 23d, 1802. ep3w

To be sold at Public Auction,
For ready money, on Wednesday the 8th day of September next, the

House and Lot,

NEAR the mouth of Shockoe Creek, lately occupied by Messrs. Wight and Harris, and commonly called the Shot Factory. The title papers may be seen at any time previous to the sale by applying to *Macmurdo & Fisher.*

THOMAS TAYLOR, T. M.
Richmond, August 23, 1802. eptds.

THE subscriber has lately removed to the BRICK-HOUSE, opposite to Crouch's Tavern and near to Foster and Moncure's Vendue Store. He proposes to practice the law in the High Court of Chancery and District Courts, and in the County and City Courts which are held in this city.

HENRY BANKS.
Richmond, August 24, 1802. ft

Dissolution of Partnership.

THE PARTNERSHIP OF
Austin & Anderson,
IS this day dissolved by mutual consent. The books and papers are in the hands of WILLIAM AUSTIN: All persons indebted to the concern, will make payment to him, who alone is authorized to close the business; all those having claims against the concern, will make application to him for payment.

William Austin,
Armistead Anderson.
Richmond, May 3, 1802.

Fresh Seeds.

MINTON COLLINS

Respectfully informs the Public, that he has just received from Philadelphia the following

SEEDS,
—*viz*—

RED, white and yellow Clover Seed; Saint Foine, Burnet, Rye-Grass, Burden Grass, Furz or Whim Seed, Hemp and Flax Seed, Tares or Vetches, Rape and Canary, White Mustard, Large Norfolk Turnip, Winter, Dutch & Stone Turnip, with a variety of Gardan Seeds, with some blue and white Chimney Ornaments, Glass Flower Bottles, and red Garden Pots, with a few chocie Hyacinth Roots.

Richmond, August 15, 1802.

Miss Robbins,

LATELY FROM LONDON,

Proposes to open in Richmond a

Boarding-School,

For the reception of
YOUNG LADIES.

HER education she flatters herself has been such as to render her adequate to the undertaking. Those young Ladies who may be confided to her tuition will be instructed in the English and French Languages, Writing and Arithmetic, with every other useful and polite accomplishment. Particular care will be paid to their morals, and every requisite attention will be given them.

The most approved masters for Music, Dancing, &c. will be engaged.

Persons desirous of being further informed of the subscriber, are requested to apply to the Rev'd. Mr. Buchanan, Mr. Gallego, Mr. William Hay, and Messrs. Macmurdo & Fisher.

Richmond, July 22, 1802.

Adams & Fisher,

Have just received by the *Alexander,* from Bristol, the following

GOODS,

Which will be sold low for Cash or on short Credit.

SALT, loose and in sacks.
Earthen and Stone Ware, in crates.
Window Glass, 8 by 10, 10 by 12, and 12 by 14.
A few doz. large Coal Shovels.
Double Glo'ster, Pine Apple, Brick and Dolphin Cheese.
Candle Shades and Passage Lamps.
Fifty boxes long and short Tobacco Pipes, 3 groce in each box.

THEY HAVE ALSO RECEIVED A CONSIGNMENT OF
15 Casks old Colminar Wine.
15 Casks Malaga ditto.
Richmond, August 6, 1802.

Valuable Property
FOR SALE.

THE subscribers, at a dissolution of a Co-partnership in the year 1794, were and still are possessed of the several tracts of land herein after mentioned, which they have agreed to sell by Public Auction, at Fluvanna courthouse, on Monday the 27th of September next, being court day, and the sale to continue day after day, until the whole of the land is sold: it being the intention of the parties to close their accounts, there will be no delay of the sale, be the price what it may. One fourth part of the purchase money to be paid down, or an approved acceptance payable in the city of Richmond, at the Eagle Tavern, in 60 days thereafter, the balance payable in three yearly equal instalments with interest from the day of sale. The land itself will be taken as security for the payment of the three instalments. The lands are held under different deeds and grants in Fluvanna and Albemarle counties as followeth:

300 Acres on the middle fork of Cunningham Creek;
150 Acres, joining the above;
124 1-4 Acres, joining the above;
108 Acres joining the above;
44 Acres, joining the above;
400 Acres of very valuable land, on the North Fork of the said Creek, called Sandwidges;
265 Acres, on the branches of Cary Creek;
375 Acres joining the above;
74 1-2 Acres, joining the above;
73 1-2 Acres, joining the above;
200 Acres, on Racoon Creek;
50 Acres, on the Rivanna River, joining the lands of Patrick Woodson;
225 acres, on little Mechunk Creek;
1700 Acres, on the branches of Hardware, in the county of Albemarle.

Those lands are generally in their native state—very little has been cultivated, and the improvements are inconsiderable. The soil may be classed in general as good farming land, with a sufficient proportion of Meadow land. Every tract is covered with valuable timber, which is rapidly increasing in demand and price. The transportation to Richmond is easy and cheap. Some of the lands are immediately on navigation, and the most distant part not more than 6 or 7 miles. Those who are disposed to purchase, and wish to view the lands, will obtain a suitable guide for the purpose, by applying to *Duncan McLaughlan,* in the town of Columbia. Should purchasers be desirous of a division of any of the tracts, for their accommodation it will be complied with, provided they take the whole of the tract among them. By mutual agreement the whole proceeds of the sales are to be paid to *David Ross.*

David Ross.
Duncan McLaughlan.
Richmond, 18th June, 1802. tdf.

Valuable Property
FOR SALE,

At Amherst Court House, by public auction, for ready money, on Monday the 20th day of September, being court day, in virtue of a decree of the honorable the high court of chancery, holden in the city of Richmond, in favor of David Ross complainant, against John Old defendant,

Two tracts of Land,

In said county, belonging to said Old;

THE one containing one hundred and twenty acres more or less; the other five acres, containing a valuable mine of iron ore. Also all the right and title of the said John Old, in and to certain entries of land made by him, adjacent to the two tracts aforesaid or either of them. The decree of the court and the mortgage will be produced at the sale, for the satisfaction of the purchasers. The said land was advertised in February last, and the sale postponed for particular reasons, but will certainly be sold at the time and place above mentioned.

DAVID S. GARLAND,
JOHN WIATT,
GEORGE DILLARD,
JOHN CHRISTIAN, } Commissioners.

Amherst, Aug. 14, 1802. 4w